

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

SHERRI WRIGHT BUFFKIN,
Plaintiff-Appellant,

v.

SMITHFIELD PACKING COMPANY,
INCORPORATED; JERE NULL,
Defendants-Appellees.

No. 01-1813

Appeal from the United States District Court
for the Eastern District of North Carolina, at Wilmington.
James C. Fox, Senior District Judge.
(CA-00-55-7-F)

Submitted: May 29, 2002

Decided: June 24, 2002

Before WIDENER, MOTZ, and TRAXLER, Circuit Judges.

Vacated and remanded by unpublished per curiam opinion.

COUNSEL

Sherri Wright Buffkin, Appellant Pro Se. James Columcille Dever, III, Gretchen W. Ewalt, MAUPIN, TAYLOR & ELLIS, P.A., Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

OPINION**PER CURIAM:**

Sherri Wright Buffkin appeals the district court's order (1) granting summary judgment in her former employer's favor on her claims alleging violations of Title VII of the Civil Rights Act of 1964, as amended, on the ground that she failed to exhaust her administrative remedies, and (2) declining to exercise supplemental jurisdiction over her state law claims. When the district court rendered its decision, however, that court did not have the benefit of the Supreme Court's decision in *Edelman v. Lynchburg College*, 122 S. Ct. 1145 (2002) (upholding regulation permitting verification of a timely filed charge after the time for filing has expired). We therefore vacate the district court's order and remand for further proceedings under *Edelman*. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

VACATED AND REMANDED